

COURTROOM MINUTES OF CRIMINAL PROCEEDINGS
Norfolk/Newport News Division

SENTENCING MINUTES

Set: 9:00 a.m.
Started: 9:00 a.m.
Ended: 10:15 a.m.

Date: December 1, 2023
Judge: Arenda Wright Allen
Court Reporter: Michelle Maar
U.S. Attorney: Megan Montoya/Matthew Heck
Defense Counsel: Brian Latuga
Courtroom Deputy: Lorraine Howard
Probation Officer: Stephanie Hollier
Interpreter: Victor Chang

Case No. 2:22cr108-002
Defendant: Ye Wang

(X) in custody () on bond

X Came on for disposition. X Defendant sworn. X Interpreter sworn

X Court finds the defendant GUILTY as to Count 3 after a plea before a USMJ.

X Presentence Report reviewed. Objections heard and rulings made.

X Court adopts PSR for the purpose of establishing the advisory guidelines.

 Evidence presented. (Witnesses and exhibits listed on last page)

X Arguments of counsel heard. X Statement of defendant heard.

IMPRISONMENT:

SENTENCE: Count 3: The defendant shall be committed to the custody of the BOP to be imprisoned for a total term of 37 months.

X The defendant is remanded to the custody of the U.S. Marshal.

 The defendant shall surrender for service of the sentence at the institution designated by the BOP/U.S. Marshal before on , as notified by the U.S. Marshal.

 If defendant is unable to arrange transportation to the designated institution, the United States Marshal will arrange transportation for the defendant.

 If the defendant is not notified by the United States Marshal of the institution designated, the defendant shall report to the United States Marshal at 600 Granby Street, Norfolk, VA, by on , to begin service of the sentence.

PROBATION:

 The defendant shall be placed on probation for a term of years.

SUPERVISED RELEASE:

X Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

 The Court will not impose a term of supervised release as it is not required by statute and the defendant is a deportable alien who likely will be deported after imprisonment.

Standard Conditions of Supervised/Probation:

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

While on supervised release, the defendant shall not commit another federal, state, or local crime.

While on supervised release, the defendant shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

 The defendant shall refrain from any unlawful use of a controlled substance and submit to one drug test within 15 days of commencement on supervised release and at least two periodic drug test thereafter, as directed by the probation officer.

 As reflected in the presentence report, the defendant presents a low risk of future substance abuse and therefore, the court hereby suspends the mandatory condition for substance abuse testing as defined by 18 USC 3563 (a)(5). However, this does not preclude the U.S. Probation Office from administering drug tests as they deem appropriate.

 It shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

Special Conditions of Supervised Release/Probation:

X The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.

X The defendant shall provide the probation officer access to any requested financial information.

X The defendant shall not sell or offer to sell any item on the internet for another person or entity without the pre-approval and authorization from the court or probation officer. This includes, but is not limited to, selling items on internet auction sites.

X Since this judgment imposes a period of imprisonment, payment of Criminal Monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments are to be made to the Clerk, United States District Court, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

X The defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until the special assessment imposed by this judgment is fully paid.

 The defendant notified of right of appeal.

X Court noted that defendant waived right of appeal in plea agreement.

X On motion of government, remaining counts dismissed.

 The defendant is continued on present bond and cautioned re bail jumping.

X Court recommends incarceration at

X a facility as close to the state of Pennsylvania as possible.

 a facility with a Residential Drug Abuse Program (RDAP) when and if defendant qualifies.

 a facility with vocational and educational opportunities

 a facility that will provide a mental health evaluation, diagnosis and treatment as needed.

 a facility that will provide anger management treatment.

X Consent Order of Forfeiture entered and filed on March 3, 2023.

Additional Counts/Comments:
